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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/624,707	07/25/2000	Jon Ebbe Brelm	SONY/12601	6813
28960	7590	10/04/2004	EXAMINER	
HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			HARPER, KEVIN C	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/624,707

Applicant(s)

BRELIN, JON EBBE

Examiner

Kevin C. Harper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 1-3,7,10-16 and 19-27 is/are rejected.
- 7) ☒ Claim(s) 4-6,8 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-13.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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Specification

1. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 13 is objected to because “at least of” in line 1 should be --at least one of--.
Appropriate correction is required.

Drawings

3. Figure 5A should be designated by a legend such as --Prior Art-- because only that which is old is illustrated (specification, page 8, lines 11-12). See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-2, 7, 10-13, 16, 19-21 and 24-27 are rejected under 35 U.S.C. 102(a) as being anticipated by Miyano (US 6,775,714) and Smyers (US 2002/0026540).

4. Regarding claim 1, Miyano discloses a method of encoding an asynchronous data packet (fig. 16) with an extension field (Operands [1]-[n]), where the packet conforms to a standardized AV/C command or response data packet (col. 10, line 62 through col. 11, line 2). The method comprises providing a data packet with a control data frame (figs. 16-17; col. 11, lines 26-27) having a fixed payload (fig. 16; note: data block has zero padding if necessary to have a fixed-size payload as standardized), where the control data frame comprises a sequence of data fields (fig. 16, fields "0000", C Type, Sub-unit Type, Sub-Unit ID, Opcode, Operand [1], etc.), and providing extended fields data within at least one of the data fields (Operand [1]-[n]) wherein the extended fields data encodes the data packet for the extension field data (fig. 17 and figs. 18A and 18B). The standardized command packet format of Miyano (col. 10, line 62 through col. 11, line 2; note: IEEE 1394 and IEC-61883) was known before the filing of the present invention (see date of filing of Smyers and para. 5, lines 1-6 of Smyers).

5. Regarding claim 2, the network performs according to the IEEE 1394 standard (col. 2, lines 7-10).

6. Regarding claim 7, Miyano discloses an asynchronous data stream (figs. 3 and 16; col. 11, lines 26-27) from a client device to a target device over an IEEE 1394 bus network (fig. 2; col. 5, lines 25-35). The stream of data comprises data packets (fig. 16) with a control data frame (fig. 16; 0000 to Operand[n]) with extended fields data (fig. 16, Opcode) and feature data (Operand [1]-[n]) wherein the extended fields data provides a signature for the presence of the

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feature data to the target device (figs. 17, 18A and 18B; col. 11, lines 49-51). The standardized command packet format of Miyano (col. 10, line 62 through col. 1, line 2; note: IEEE 1394 and IEC-61883) was known before the filing of the present invention (see date of filing of Smyers and para. 5, lines 1-6 of Smyers).

7. Regarding claim 10, the feature data includes one byte of feature data (fig. 16, Operand) that provides a transaction label code representing a history of a previous data transmission between the client device and the target device (col. 11, lines 49-51, 54 and 61-65; col. 12, lines 12-15).

8. Regarding claims 11, 13, 19-20 and 25, Miyano discloses a system for transmission of asynchronous AV/C command and response data over a standard IEEE 1394 serial bus (figs. 2-3 and 16; col. 5, lines 25-35). The system comprises a control device (fig. 2) for generating a command data stream comprising at least one command data packet with a control data frame comprising control data fields having command transaction data (fig. 16; col. 11, lines 48-51) and a target device for receiving the command data stream and generating a corresponding response data stream comprising at least one response data packet (fig. 16, col. 11, lines 41-44) comprising a target data field wherein at least one target data fields is a response transaction label data field (fig. 16, Operand [1] - Operand [n]) having data for the compatibility of the target device with the command data stream received (col. 11, line 54 and lines 61-65; col. 12, lines 12-15). The response transaction data and the command transaction data match the command data stream with the corresponding response data stream (figs. 18A and 18B; col. 12, lines 1-2). Further regarding claims 19 and 25, the target data field comprises features data providing a signature of features implemented at the target device (fig. 17, command type/response - values

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1001, 1011 and 1100; fig. 18B) and supported by both the target device and the control device (col. 11, lines 49-51 and 61-65). The control device transmits command data that has extended fields that support compatible features (figs. 18A-18B). The standardized command packet format of Miyano (col. 10, line 62 though col. 1, line 2; note: IEEE 1394 and IEC-61883) was known before the filing of the present invention (see date of filing of Smyers and para. 5, lines 1-6 of Smyers).

9. Regarding claim 12, the transaction label data codes the data stream for error status and error labels (col. 11, line 54 through col. 12, line 2; fig. 17, command type/response - values 1000 and 1010).

10. Regarding claims 21 and 26, the control device is capable of adding or removing extended fields data if not supported on the target device (col. 11, lines 49-51 and 54-65).

11. Regarding claims 16, 24 and 27, the system comprises a memory unit for storing transaction data values (fig. 1, 2, item 123; col. 6, lines 21-23; fig. 17).

Claim Rejections - 35 USC § 103

Claims 3, 14-15 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyano US 6,775,714) and Smyers (US 2002/0026540) in view of Barry et al. (US 2002/0196374).

12. Regarding claim 3, Miyano discloses an asynchronous data packet (col. 11, lines 26-27) having a header portion (fig. 16; packet header) and a control frame that includes a cts field, a data type field, a subunit type data field, a subunit ID data field, and operand data fields (fig. 16, 0000, C type, sub-unit type, sub-unit ID and opcode, respectively; col. 11, lines 26-30 and 41-53,

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and col. 12, lines 3-15). The extension data field holds at least one byte (fig. 16, Operand [1]-[n] where each Operand field has 1 byte; note: the standardized packet of Miyano as known before the filing of the present invention -- see Smyers, para. 5, lines 1-6). However, Miyano does not disclose that extended fields data is in the cts field. Barry discloses that a cts field holds various data values depending on the command set used (para. 139, lines 5-11). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have extended fields data in the cts field in the invention of Miyano in order to flexibly provide additional or new commands between devices connected according to IEEE 1394.

13. Regarding claims 14-15 and 22-23, Miyano discloses devices connected to an IEEE 1394 bus (fig. 2). However, Miyano does not specifically disclose that the target device is a video recorder subunit and the control device is a video screen and an input device (fig. 17, sub-unit type and opcode). However, Barry discloses a video recorder unit (fig. 2a, item 32) and an inherent video screen and an input device (item 36) on an IEEE 1394 bus (para. 131 and para. 132, lines 1-3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a video recorder subunit as a target device and a video screen and an input device as a control device in the invention of Miyano in order to display stored video on a computer.

Allowable Subject Matter

14. Claims 17-18 are allowed.

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15. Claims 4-6 and 8-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

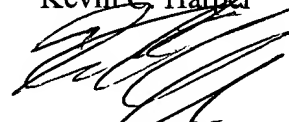
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:30 AM to 8:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only (applications must be associated with a customer number). For more information about the PAIR system, see pair.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin C. Harper



September 29, 2004